

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Leger et al.

Group Art Unit: 2877

Serial No.: 09/691,006

Examiner: Unknown

Filed: October 18, 2000

For: IMAGING ELLIPSOmetry

ELECTION UNDER 37 C.F.R. §§3.71 AND 3.73 AND POWER OF ATTORNEY

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The undersigned, being Assignee of the entire right, title and interest in the above-identified application by virtue of an Assignment recorded in the United States Patent and Trademark Office as set forth below or filed herewith, hereby elects, under 37 C.F.R. §3.71, to prosecute the application to the exclusion of the inventor(s).

The Assignee hereby revokes any previous Powers of Attorney and appoints: Ann M. Muetting (Reg. No. 33,977); Kevin W. Raasch (Reg. No. 35,651); Mark J. Gebhardt (Reg. No. 35,518); Victoria A. Sandberg (Reg. No. 41,287); David L. Provence (Reg. No. 43,022); Matthew W. Adams (Reg. No. 43,459); Loren D. Albin (Reg. No. 37,763); Kathleen L. Franklin (Reg. No. P-47,574); Brian J. Walsh (Reg. No. 45,543)

as its attorney or agent (with full powers of appointment, substitution, and revocation) to prosecute the application, and any division, continuation, continuation-in-part, reexamination, or reissue thereof, to make alterations and amendments therein, and to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent.

Pursuant to 37 C.F.R. §3.73, the undersigned certifies that the evidentiary documents have been reviewed, specifically the Assignment to Regents of the University of Minnesota referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

Attention: Mark J. Gebhardt
Muetting, Raasch & Gebhardt, P.A.
P.O. Box 581415
Minneapolis, MN 55458-1415
Telephone No. (612) 305-1216

ASSIGNEE: REGENTS OF THE UNIVERSITY OF MINNESOTA

Date: 4-9-01

By: [Signature]

Name: Anthony L. Strauss

Title: Acting Assistant VP

ASSIGNMENT:

Concurrently filed herewith for recording, a copy of which is attached hereto.
X Previously recorded on: October 18, 2000, at Reel: 011221 Frame: 0173

4/11/01
p/a
G. RECEIVED
JAN 14 2002
TECHNOLOGY CENTER 2800

ASSIGNMENT

Whereas We, James R. Leger and Qiwen Zhan, with residences and citizenships as indicated below; have made an invention in

IMAGING ELLIPSOMETRY

Filed: Herewith

Serial No.: Unassigned

and executed an application for Letters Patent of the United States of America based thereon;

Now, therefore, for good and valuable consideration, receipt of which is acknowledged, we have individually and jointly agreed to assign and transfer and do hereby assign and transfer unto Regents of the University of Minnesota ("Company"), a non-profit organization of Minnesota, having its principal office at 450 University Gateway, 200 Oak Street SE, Minneapolis, Minnesota 55455, its successors and assigns, the entire right, title, and interest in and to said invention and application, and in and to any division or continuation (in whole or in part) of said application, and in and to any and all improvements in said invention made by us or any of us or made jointly with others (provided any such improvement is made during, or within one year after the termination of, the employment by the Company of whichever of us, solely or jointly with one or more others, has made the same), and in and to any and all Letters Patent, reexaminations, reissues, or extensions thereof, of the United States of America and countries foreign thereto (including the right to apply for Letters Patent, Utility Models, or Inventors' Certificates in foreign countries in its own name and to claim any priority rights for such foreign applications to which such applications are entitled under international conventions, treaties, or otherwise), which have been or may be granted thereon or on any continued prosecution application, divisional, continuation (in whole or in part), renewal, reexamination, reissue, or other or further application based in whole or in part upon said invention or improvements thereon, to be held and enjoyed as fully and exclusively as they would have been by us or any of us had this assignment and transfer not been made;

We do further agree for ourselves and for our heirs, executors, and administrators, to execute and deliver without further consideration any further applications, assignments, and documents, and to perform such other acts as we lawfully may, that may be deemed necessary by the Company, its successors, assigns, and nominees, fully to secure its right, title, and interest as aforesaid and to obtain or maintain Letters Patent, Utility Models, or Inventors' Certificates in any and all countries;

And we do hereby authorize and request the Commissioner of Patents to issue any and all Letters Patent which may be granted upon any of said applications, to Regents of the University of Minnesota as the assignee of the entire right, title, and interest therein.

In witness whereof, we have hereunto signed our names on the days and years set forth below.

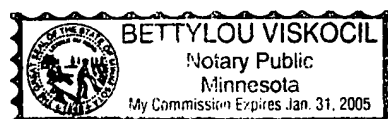
James R. Leger
 Name: James R. Leger
 Address: 19000 31st Avenue No., Plymouth, MN 55447
 Citizenship: USA

18-Oct-2000
 Date

STATE OF Minnesota)
) ss.
 COUNTY OF Hennepin)

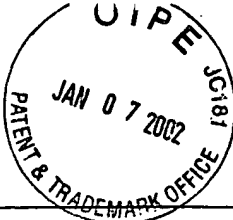
On this 18th day of Oct. 2000 before me personally appeared James R. Leger to me known to be the person described in and who executed the foregoing instrument, and he executed the same for the uses and purposes therein set forth.

Bettylou Viskocil
 Notary Public



Assignment
Serial No. Unassigned
Filed: Herewith
For: IMAGING ELLIPSOmetry

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Name: Qiwen Zhan
Address: 1631 Carl Street, Apt. #4, Lauderdale, MN 55108
Citizenship: People's Republic of China

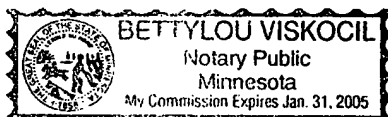
10/18/2000

Date

STATE OF Minnesota)
COUNTY OF Hennepin) ss.

On this 18th day of OCT. 2000 before me personally appeared Qiwen Zhan to me known to be the person described in and who executed the foregoing instrument, and he executed the same for the uses and purposes therein set forth.

Bettylou Viskocil
Notary Public



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